

02-04-03

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Response Under 37 CFR §1.116
Expedited Procedure
Examining Group 1643

CASE 4-30776A

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10	
<u>EL820014164 US</u> Express Mail Label Number	<u>January 31, 2003</u> Date of Deposit

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2/11/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1643

DIGAN ET AL.

Examiner: Ewoldt, G.

APPLICATION NO: 09/480,236

FILED: JANUARY 10, 2000

FOR: ANTI-CD3 IMMUNOTOXINS AND THERAPEUTIC USES
THEREFOR

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Box AF
Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO FINAL REJECTION

Sir:

This is in response to the Office Action dated November 21, 2002, in which all of the pending claims were finally rejected.

REMARKS

Claims 51-53 stand rejected under 35 U.S.C. §112, first paragraph, for lack of sufficient written description. Two prior Office Actions are referenced in the present Office Action as a basis for the reasons for rejection. Applicants respectfully remind the Examiner that the Manual of Patent Examining Procedure (MPEP) §706.07 states

"However, where a **single** previous Office Action contains a complete statement of a ground of rejection, the final rejection may refer to such a statement..." (emphasis added)

In the event that the Examiner does not find Applicants' arguments herein convincing and issues an Advisory Action, it is respectfully requested that the grounds for rejection be stated clearly with, at most, reference to only one prior Office Action.

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